IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 383 OF 2005

MR.M.J.RODRIGUES,PANAJI GOA ....Petitioner

Versus

GOA STATE POLLUTION CONTROL BOARD THROUGH ITS CHAIRMAN AND 5 ORS., ...Respondents

Shri N.Costa Frias, Advocate for the Petitioner.
Shri S.S. Kantak, Advocate General with Ms. G. Bhonsule, Addl. Govt. Advocate for R.1, 2, 3 and 6.
Mr. Mahesh S. Sonak, Advocate For Resp. No. 4.
Mr. A.R. Kantak, Advocate for Respondent No.5.

Coram:- D. D. SINHA &
N. A. BRITTO, JJ.

Date:- 14th November, 2005

P.C.:

Heard Mr. Costa Frias, the learned counsel for the Petitioner, the learned Advocate General for the Respondents No.1, 2, 3 and 6, Mr. Sonak, the learned Advocate for the Respondent No.4 and Mr. A. Kantak, the learned Advocate for the Respondent No.5.

2. In the present Writ Petition the petitioner is seeking direction to the Respondents No.1 to 4 and 6 to take immediate action with regard to the unit of the Respondent No.5 in the Kundaim Industrial Estate in accordance with law. The learned Advocate General states that the action is already initiated under the provisions of the Air (Prevention and Control of Pollution) Act, 1981. It is contended that the show cause notice dated 04.08.2005 is issued to the Respondent No.5 to show cause within 15 days from the date of receipt of the said Notice as to why appropriate action as per the provisions of the said Act should not be initiated against Respondent No.5 for operating the unit without consent of the Board. The

learned Advocate General contended that another Notice/direction dated 29.09.2005 is also given to the Respondent No.5 since the Respondent No.5 did not respond to the said notice, whereby the Respondent No.5 was informed to suspend the operation of the industrial unit immediately till such time consent to operate is granted to the unit by the Board. The learned Advocate General further contended that direction is also issued to the Chief Electrical Engineer, Government of Goa to disconnect power supply of Respondent No.5 Unit till further orders vide Order/direction dated 29.09.2005.

In the backdrop of the above referred facts, it is evident that the respondents have, in fact, initiated action under the Air (Prevention and Control of Pollution) Act, 1981 and therefore the grievance of the petitioner made in the petition, in our view, is redressed at this stage.

In the circumstances, Writ Petition is disposed of.

D. D. SINHA, J.

N. A. BRITTO, J.

sl.